

REMARKS

Double Patenting

Claims 14-35 stand rejected under the judicially created doctrine of double patenting over claims 1-11 of US Patent 6,321,091. A Terminal Disclaimer has been provided disclaiming any term beyond US Patent 6,321,091. Applicant respectfully requests that this rejection be removed.

Objections

Claims 15-21 have been objected to as having informalities. The claims have been amended to correct these informalities and the Applicant respectfully requests that this objection be removed.

35 USC 103 Rejections

Claims 14-24, and 27-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kimoto et al. (USP 6,115,611) in view of Westerlage et al. (USP 5,724,243) and Keillor et al. (USP 5,917,433). Claims 25 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kimoto et al. (USP 6,115,611) in view of Westerlage et al. (USP 5,724,243) and Keillor et al. (USP 5,917,433) and further in view of Watanabe.

Applicant respectfully traverses this rejection, and requests reconsideration of the pending claims.

Applicant thanks the Examiner for the courtesy of a phone call on December 7, 2004, and the courtesy of an in-person interview of January 31, 2005. In these discussions, the Applicant indicated that certain features of the present application distinguished over the prior art of record. In particular, Applicant believes that the fact that the

present locator device is a self-contained and self-locating device (i.e., a single device able to calculate its' own position location) is novel over the prior art of record.

Additionally, it was discussed that the claims could be amended to more particularly point out that the positional information is ultimately sent to a third-party subscriber over the Internet.

Additionally as separate point of novelty, Applicant noted in the discussions that the power-saving feature as presently claimed distinguishes over the prior art of record in that the device itself determines that a power-saving mode is indicated when the receiver is out of view of the GPS satellites, in contrast to the prior art of record that either receives instructions to power down, or simply goes into a power-saving mode when disconnected from a main source of power.

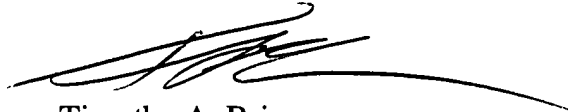
In light of the conversations and interview, independent claims 14, 22, 28, and 32 have been amended to more particularly point that the present application recites a self-contained device (i.e., all operative elements are contained within the remote locator device) and that the locator's receiver is able to determine its' positional information including at least the current longitude and latitude information. Additionally, the claims have been amended to more particularly point out that the remote device provides the location information to server, which in turn provides the location of the device to a third-party subscriber over the Internet.

Applicant respectfully submits that the cited references do not teach or suggest the limitations of the present claims.

Applicant requests that this application be allowed. If the Examiner has any questions regarding this application, the Examiner may telephone the undersigned attorney at 775-586-9500.

Respectfully submitted,
SIERRA PATENT GROUP, LTD.

Dated: February 3, 2005



Timothy A. Brisson
Reg. No.: 44,046

Sierra Patent Group, Ltd.
P.O. Box 6149
Stateline, NV 89449
(775) 586-9500
(775) 586-9550 Fax